

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Services – Treasuries and Accounts (Gazetted) Services – Sri N.Chandrasekhara Rao, Sub-Treasury Officer (Retd.), O/o the District Treasury, Srikakulam – Restoration of Seniority – Notional Promotion to the category of Asst. Accounts Officer/Asst. Treasury Officer – Orders – Issued.

FINANCE (ADMN.I) DEPARTMENT

G.O.Rt. No. 2333

Dated: 01-05-2009.

Read the following:-

1. DTA Letter No.C4/12427/2002 dated.15-4-2004.
2. APAT Order dated 27-11-2006 in O.A.No.2022 of 2003.
3. DTA Lr.No. C4/12427/2002, dated 6-1-2007.
4. Govt. Memo.No.18236/110/A1/Admn.I/2003, dated 9-2-2007.
5. DTA Lr.No. C4/12427/2002, dated 9-3-2007.
6. Govt. Memo. 18236/110/A1/Admn.I/2003, dated 10-4-2007.
7. DTA Lr.No. C4/12427/2002, dated 21-7-2007.
8. Govt. Memo.No.18236/110/A1/Admn.I/2003, dated 8-8-2007.
9. DTA Letter No. C4/12427/2002 dated 28-3-2009.

ORDER:

In the reference 1st read above, the Director of Treasuries and Accounts has informed that Sri Kuna Rama Rao, Retired Police Jeep Driver, who was the neighbor of Sri N.Chandrasekhara Rao, has filed a Criminal Case No.67/2002 in the court of Judicial First Class Magistrate, Srikakulam under Section 379 of IPC alleging theft of one of thula gold chain from his wife. While preparing the panel for promotion to the category of ATO/AAO for the panel year 2002-2003, the name of Sri N.Chandrasekhara Rao, STO (now retired) was included in the panel of JAOs/STOs for promotion to the category of ATOs/AAOs for the year 2002-2003. But, his promotion was deferred in view of the criminal proceedings pending against him. Accordingly, his immediate junior Sri S.Shyamala, STO was promoted to the category of ATO/AAO w.e.f 18.12.2002.

2. The Director of Treasuries and Accounts further informed that, consequent on promotion of Smt.S.Shyamala to the category of ATO/AAO, Sri N.Chandrasekhara Rao has filed OA.No.2022/2003. The Hon'ble APAT, in their interim orders, dated 3-4-2003, had directed the Respondents to consider the case of applicant for promotion to the post of ATO/AAO in the existing vacancies as the applicant has hardly left 3 months of service. As the Criminal case against him was pending at the Judicial First Class Magistrate, Srikakulam, a speaking order rejecting the request of the individual for promotion to the category of ATO/AAO was issued. Subsequently, the Regional Joint Director of Treasuries and Accounts, Region-I, Visakhapatnam has placed the individual under suspension with effect from 26-06-2003 as the individual was implicated in a private Criminal Case registered in I Town Police Station, Srikakulam vide FIR No.110/2001, U/s 323,379 and 448 of IPC. In the meanwhile, the individual attained the age of superannuation on 30-6-2003 and retired from service while he was under suspension. While the matter stood thus, Sri N.Chandrasekhara Rao, STO (Retd.) was acquitted by the Hon'ble Judicial Magistrate of Ist Class, Srikakulam from Criminal Case No.67/2002 as he was not found guilty for the offences.

3. Sri N.Chandrasekhara Rao, STO (Retd) has filed OA No.4151/2003 challenging the orders of suspension issued by the erstwhile RJD Region-I, Visakhapatnam. The period of suspension was treated as duty in terms of FR 54 (2) vide DTA proceedings No.K2/22555/2002 dated 10-2-2004. The Hon'ble APAT in their order dated 2-4-2004 disposed off the said OA as no further orders are necessary. Hence, Sri N.Chandrasekhar Rao, STO (Retd) in his representation dated 27-2-2004 has requested to consider him for notional promotion to the category of ATO/AAO on par with his immediate junior Smt.S.Shyamala as he was acquitted from the criminal case.

4. The Hon'ble APAT in their order dated 27-11-2006 in O.A.No.2022/2003 filed by Sri N.Chandrasekhara Rao, STO (Retd.), District Treasury, Srikakulam directed that *"in view of the submissions made by the respondents in the counter and as the applicant has been acquitted, the Respondent No.1 is directed to examine the proposals referred to the first respondent by the Respondent-2 in Lr.No.C4/12427/2002, dated 15-04-2004 and*

pass appropriate orders on the above proposals for promotion as ATO/AAO on par with his juniors with all consequential benefits in accordance with the rules, within a period of one month from the date of receipt of a copy of the order. The O.A. is disposed of accordingly”.

5. In the reference 8th read above, the DTA was permitted to conduct review DPC in the category of ATO/AAO for assigning notional promotion to Sri N.Chandrasekhara Rao, STO (Retd) on par with his junior Smt.S.Shyamala by following due procedure under Rule 24 of A.P. State and Subordinate Service Rules, 1996 as per the orders of the Hon'ble APAT.

6. In the reference 9th read above, the Director of Treasuries and Accounts has informed that Smt. S. Shaymala (Sl.No.07) who was immediate junior to Sri N.Chandrasekhara Rao, was promoted to the category of AAO/ATO during the panel year 2002-2003 and her services were regularized w.e.f 22.01.2003. Hence, the individual is entitled for notional promotion w.e.f 22.01.2003 in the category of AAO/ATO in terms of provisions under G.O.Ms.No.424, General Administration (Ser.C) Department dated 25.5.1976 read with G.O.Ms.No.104, General Administration (Ser.C) Department, dated 16-2-1990. According to the said orders, if the officer concerned is completely exonerated he/she should be promoted to the post filled on temporary basis, restoring his rightful place in the list of promoted officers with retrospective effect. The DTA has also informed that the name of Sri N.Chandrasekhara Rao do not come for consideration for the next promotion i.e. AO/DTO category as he has retired on attaining the age superannuation on 30-6-2003 and conducting DPC is not required. Hence, he has requested to issue necessary orders duly assigning the notional seniority to Sri N.Chandrasekhara Rao, STO (Retd.) in the category of AAO/ATO w.e.f 22.01.2003 i.e. from the date of promotion of his immediate junior Smt S.Shyamala in terms of orders issued in G.O.Ms.No.424, General Administration (Ser.C) Department, dated 25-5-1976 read with G.O.Ms.No.104, General Administration (Ser.C) Department, dated 16-02-1990.

7. Government, after careful examination of the matter with reference to the circumstances reported by the DTA and the orders of the Hon'ble A.P.A.T. dated 27-11-2006 in O.A.No.2022/2003 hereby accord notional promotion to Sri N.Chandrasekhararao, STO (Retd.) in the category of AAO/ATO w.e.f. 22.01.2003 on par with his immediate junior Smt. S.Shyamala, ATO i.e. from the date of promotion of Smt.S.Shyamala in the category of AAO/ATO in terms of orders issued in G.O.Ms.No.424, General Administration (Ser.C) Department, dated 25-5-1976 read with G.O.Ms.No.104, General Administration (Ser.C) Department, dated 16-02-1990.

8. The Director of Treasuries and Accounts shall take necessary further action in the matter accordingly

9. The G.O is available on internet and can be accessed at the address <http://www.goir.ap.gov.in>.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**Dr .SAMEER SHARMA
SECRETARY TO GOVERNMENT (FP)**

To

Sri N.Chandrasekhara Rao, Sub-Treasury Officer (Retd), O/o the District Treasury

Srikakulam through the Director of Treasuries and Accounts, AP, Hyderabad.

The Director of Treasuries and Accounts, AP., Hyderabad.

SF/SC.

// FORWARDED BY ORDER//

SECTION OFFICER